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Security Council Committee established pursuant to resolution 1718 (2006)

Note verbale dated 19 March 2018 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chair of the Committee

The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the Chair of the Security Council Committee established pursuant to resolution 1718 (2006) and, in accordance with paragraph 18 of Security Council resolution 2371 (2017) and paragraph 4 of Security Council resolution 2397 (2017), has the honour to present its respective reports on measures taken by the Government of Bulgaria to implement the provisions of resolutions 2371 (2017) (see annex I) and 2397 (2017) (see annex II).

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Annex I to the note verbale dated 19 March 2018 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chair of the Committee

Report of the Republic of Bulgaria on the implementation of Security Council resolution 2371 (2017)

Bulgaria has consistently continued its efforts to implement all restrictive measures imposed on the Democratic People's Republic of Korea by the Security Council and transposed by the European Union in its legal acts.

The Republic of Bulgaria and the other European Union member States have jointly implemented the additional restrictive measures imposed on the Democratic People's Republic of Korea by the Security Council in its resolution 2371 (2017) by adopting the following legal acts:

- Council Implementing Decision (CFSP) 2017/1459 of 10 August 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
- Commission Implementing Regulation (EU) 2017/1457 of 10 August 2017 amending Council Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Regulation (EU) 2017/1548 of 14 September 2017 amending Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Decision (CFSP) 2017/1562 of 14 September 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea.

At the national level, the competent Bulgarian authorities have taken the steps below to implement the restrictive measures imposed.

The Bulgarian National Customs Agency directly and fully applies the European Union and national legislation concerning the restrictive measures imposed on the Democratic People's Republic of Korea by the Security Council in its resolution 2371 (2017).

In addition to the directly applicable European Union legislation, detailed administrative guidelines are always elaborated for customs officers.

Risk profiles have also been created. They impose mandatory inspections of all cargo within or transiting through the territory of Bulgaria that has originated in or is destined for the Democratic People's Republic of Korea, or is being transported on aircrafts and vessels flagged, or in vehicles registered by, that country. The risk profiles also cover obligatory checks of all cargo that has originated in or is destined for the Democratic People's Republic of Korea, or is being transported on means of transport, including rail and road transport, registered by that country.

In June 2017, two representatives of the Bulgarian National Customs Agency took part in a training-of-trainers course for customs training institutions on the modules of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Several courses have been planned for customs officers that will cover the following topics: European and national legislation and regulations concerning trade control of dual-use chemicals; the Chemical Weapons Convention and monitored chemicals; tools for the identification of scheduled chemicals under the Chemical Weapons Convention;

customs control of chemical shipments; transfer provisions under the Chemical Weapons Convention; reporting of the import and export of chemicals under the Chemical Weapons Convention and common problems; and group discussions with practical exercises using real-life situations.

As regards restrictions on admission to the national territory, the Act on Foreigners in the Republic of Bulgaria, Council Decision (CFSP) 2016/2217/CFSP of 8 December 2016 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea and Council Regulation (EC) No. 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement provide the basis for the refusal of admission and the rejection of visa applications. The Bulgarian Ministry of Interior has imposed travel bans in accordance with Security Council resolution 2371 (2017).

The Ministry of Economy has taken the necessary measures to apply additional sanctions within its sphere of competence.

The most important measures taken include:

- Publication on the official website of the Ministry of Economy of detailed information regarding the newly imposed sanctions, with a particular focus on: the total export ban on coal, iron and iron ore, lead and lead ore and seafood, the introduction of a ceiling on work permits for workers from the Democratic People's Republic of Korea and the ban on setting up new joint ventures with structures or citizens of the Democratic People's Republic of Korea
- A recommendation has been sent to the Bulgarian Small and Medium Enterprises Promotion Agency to share detailed information with Bulgarian companies and business circles on the newly imposed sanctions
- Detailed information has been provided in response to a letter, dated 1 June 2017, from the Panel of Experts established pursuant to Security Council resolution 1874 (2009).

In addition to the common European Union measures, the Republic of Bulgaria has the following national legislation in force, requiring authorization for export, import, transfer, transport, passage, carriage, transit and brokering activities involving defence-related products and dual-use items and technologies, which, together with European Council Common Position 2008/944/CFSP of 8 December 2008 defining common rules governing control of exports of military technology and equipment and Council Regulation (EC) No. 428/2009 of 5 May 2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items, provide the basis for the enforcement of the arms embargo with regard to the Democratic People's Republic of Korea and the ban on related brokering services:

- Ordinance of the Council of Ministers (CoM) 91/2001 on the list of States and organizations against which the Republic of Bulgaria imposes a prohibition or restrictions on the sale and deliveries of arms and related equipment, in compliance with Security Council resolutions, European Union regulations and Organization for Security and Cooperation in Europe decisions
- Ordinance (CoM) 3/2007 on the implementation of resolution 1718 (2006) and Council Common Position 2006/795/CFSP of 20 November 2006 concerning restrictive measures against the Democratic People's Republic of Korea
- Law on the Export Control of Defense-Related Products and Dual-Use Items and Technologies

- Ordinance (CoM) No. 152 of 27 July 2017 on the adoption of a list of defence-related products and a list of dual-use items and technologies subject to control at import
- List of specially empowered customs posts and offices for defence-related products and dual-use items and technologies
- Act on the Prohibition of Chemical Weapons and on Control of Toxic Chemicals and the Precursors thereof
- Ordinance (CoM) No. 16-437 of 4 May 2007 on the terms and conditions for the carrying out of activities with toxic chemical substances and their precursors
- Act on the Implementation of Council Regulation (EC) No. 1236/2005 of 27 June 2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment
- The Criminal Code.

The Republic of Bulgaria is also a party to international treaties and conventions concerning the non-proliferation of weapons of mass destruction, including the Treaty on the Non-Proliferation of Nuclear Weapons, the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction. Bulgaria is a participating State in all relevant multilateral export control regimes, namely the Wassenaar Arrangement, the Nuclear Supplies Group, the Zangger Committee, the Australia Group, the Missile Technology Control Regime and The Hague Code of Conduct against Ballistic Missile Proliferation.

Banks and branches of foreign banks operating in the territory of the Republic of Bulgaria carry out ongoing reviews of their clients to search for matches with natural and legal persons from the Democratic People's Republic of Korea included in the sanctions lists. There is also ongoing monitoring of cross-border transactions to prevent and block operations related to the ordering or receiving of transfers to or from accounts of citizens of the Democratic People's Republic of Korea who are subject to targeted financial sanctions. Checks are performed automatically through specialized information systems. According to the policies developed, the banks strictly abide by the ban on establishing correspondence with credit or financial institutions stated in article 21, paragraph 2, of Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No. 329/2007.

Banks regularly issue methodological instructions to inform their employees about the adoption and amendment of Security Council resolutions, as well as restrictive measures applied by the Council regarding the implementation of the resolutions.

Banks also organize specialized training for their employees on the implementation of the restrictive measures.

The Bulgarian National Bank sends notifications to banks with specific guidelines on the implementation of restrictive measures.

In the "Bank Supervision/Other Regulations and Requirements/Prevention of Money Laundering and Terrorist Financing/European Legal Framework" section of its official website (http://www.bnb.bg/bnbweb/groups/public/documents/bnb_download/eu_lf_eu_reg_dec_aml_en.pdf), the Bulgarian National Bank publishes a list of regulations and decisions adopted by the Council of the European Union concerning

restrictive measures against certain countries. The list is regularly updated and can be accessed in both Bulgarian and English.

According to the relevant Bulgarian authorities, there are no workers of the Democratic People's Republic of Korea in Bulgaria.

Annex II to the note verbale dated 19 March 2018 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chair of the Committee

Report of the Republic of Bulgaria on the implementation of Security Council resolution 2397 (2017)

The Republic of Bulgaria and the other European Union Member States have jointly implemented the additional restrictive measures imposed on the Democratic People's Republic of Korea by the Security Council in its resolution 2397 (2017) by adopting the following legal acts:

- Council Implementing Regulation (EU) 2018/12 of 8 January 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Implementing Decision (CFSP) 2018/16 of 8 January 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Regulation (EU) 2018/285 of 26 February 2018 amending Council Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
- Council Decision (CFSP) 2018/293 of 26 February 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea.

At the national level, the relevant Bulgarian authorities have taken the necessary steps to implement the restrictive measures imposed.

According to the relevant Bulgarian authorities, there have been no registered imports or exports of crude oil or petroleum products from or to the Democratic People's Republic of Korea in the territory of the Republic of Bulgaria.

According to the Bulgarian Maritime Administration Executive Agency, there are no data on ships transporting crude oil or petroleum products from or to the Democratic People's Republic of Korea that have entered Bulgarian seaports

According to the relevant Bulgarian authorities, no workers of the Democratic People's Republic of Korea are residing in the territory of the Republic of Bulgaria. No requests have been made by employers to grant nationals of that country access to the labour market.